

REMARKS

This Response is submitted in reply to the Office Action mailed on March 7, 2007. Claims 26 to 35 have been canceled. Claims 1, 16, and 21 have been amended. No new matter has been added by these amendments.

A Petition for a one-month extension of time and a Request for Continued Examination are submitted herewith. Please charge Deposit Account No. 02-1818 to cover the cost of the extension of time, RCE, and any other fees due in connection with this Response.

The Office Action rejected Claims 1, 2, 5, 6, 10, 11, 15 to 17, 19 to 22, 24, and 25 under 35 U.S.C. 103(a) as being obvious over U.S. Patent 6,186,894 to Mayeroff ("Mayeroff") in view of U.S. Patent 6,155,925 to Giobbi et al ("Giobbi").

Mayeroff discloses a gaming device which includes a primary game having a plurality of reels and at least one payline associated with the reels. The gaming device further includes a secondary or bonus game having a plurality of reels and at least one payline associated with the reels of the bonus game. In operation, a player makes a wager on at least one of the paylines of the primary game. The gaming device spins the reels and provides to the player any awards associated with winning symbol combinations indicated on the wagered-on paylines. The gaming device determines a number of spins to provide to the player for the bonus game based on one of: (i) the number of wagered-on paylines in the primary game, (ii) the number of credits wagered on each payline in the primary game, and (iii) the symbols combinations generated in the primary game. Once the player achieves a designated combination of symbols in a spin of the reels in the primary game, the gaming device provides the player with the determined number of spins for the bonus game.

Giobbi discloses a bonus game in which the payout varies as a function of the wager placed on the primary game. For example, in Fig. 5 of Giobbi, the player's wager in the primary game is 45 credits. The player obtains an outcome in the bonus game which is a "10X" multiplier. Thus, the player is awarded 450 credits (i.e., ten times the wagered amount of 45 credits). The amount awarded to the player is displayed in a meter which tracks credits won by the player during game play.

Amended independent Claim 1 is directed to a gaming device which includes, among other elements, a meter displayed in the bonus game which is changeable after the bonus game is triggered, wherein: (i) upon triggering the bonus game, the meter is at an initial predetermined level, (ii) each time a change of the meter occurs during the bonus game, the change is based on the second component of the wager in the base game, and (iii) when the meter reaches a designated level, an award generation event associated with the meter is provided to the player.

The Office Action admits that Mayeroff does not disclose a meter which is displayed in the bonus game. The Office Action attempts to cure the deficiencies in Mayeroff with Giobbi. The Office Action concludes that it would have been obvious to one of ordinary skill in the art to combine the bonus game winning display meter of Giobbi with the free spin tracking meter of Mayeroff in order to display to players their standing with respect to winnings in the bonus event (Office Action, page 4).

As acknowledged by the Office Action, in Mayeroff, the meter tracks the number of spins awarded to the player for use in the secondary or bonus game. As further acknowledged by the Office Action, the meter in Giobbi displays bonus winnings that have been awarded to the player during game play. The meters of Mayeroff and Giobbi serve different functions in their respective gaming devices. The Giobbi meter displays amounts won during play of the game, while the Mayeroff meter keeps track of how many spins remain for a bonus game.

Regardless of whether it would have been obvious to incorporate the bonus game winning display meter of Giobbi into the gaming device of Mayeroff, as proposed by the Office Action, the gaming device resulting from this combination would include two separate meters—one meter for tracking bonus spins, and another meter for displaying amounts won during game play. Mayeroff and Giobbi, either alone or in combination, do not disclose a gaming device including a meter displayed in the bonus game which is changeable after the bonus game is triggered, wherein: (i) upon triggering the bonus game, the meter is at an initial predetermined level, (ii) each time a change of the meter occurs during the bonus game, the change is based on the second component of the wager in the base game, and (iii) when the meter reaches a

designated level, an award generation event associated with the meter is provided to the player.

Moreover, Mayeroff teaches away from the inclusion of a meter displayed in the bonus game which is changeable after the bonus game is triggered, wherein each time a change of the meter occurs during the bonus game, the change is based on the second component of the wager in the base game. As discussed above, upon triggering the bonus game in Mayeroff, the player is provided with a number of bonus spins to use in the bonus game. In one embodiment, the provided number of bonus spins is based on the number of wagered-on paylines in the primary game. The gaming device in Mayeroff keeps track of the player's bonus spins. Thus, when the bonus game begins, a meter includes a number of bonus spins which corresponds to the number of wagered-on paylines in the primary game. As the player uses each of the bonus spins, the meter changes or decrements by one to track how many bonus spins remain for the bonus game.

In one example, if a player wagers on nine paylines in the primary game, the gaming device provides nine bonus spins when the bonus game is triggered (see Mayeroff, Col. 7, lines 35 to 38). In this example, the meter in the Mayeroff game initially includes nine bonus spins upon triggering of the bonus game (i.e., the first change in the meter is from zero bonus spins to nine bonus spins, based on the nine wagered-on paylines). After the player uses a first one of the bonus spins in the bonus game, the meter decrements by one. That is, the meter changes to reflect that the player has eight bonus spins left to use in the bonus game. Clearly, the meter of the Mayeroff game does not change again based on the number of wagered-on paylines. Changing the meter in this manner would not assist in keeping track of the number of spins remaining in the bonus game in Mayeroff.

Accordingly, for at least these reasons, Applicants respectfully submit that amended independent Claim 1 and the claims depending therefrom are each patentably distinguished over Mayeroff.

Amended independent Claims 16 and 21 include certain similar elements to amended independent Claim 1. For reasons similar to those discussed above with respect to amended independent Claim 1, Applicants respectfully submit that amended

independent Claims 16 and 21, and Claims 17, 19, 20, 22, and 24 which depend from Claims 16 and 21, respectively, are each patentably distinguished over Mayeroff.

The Office Action rejected Claim 3 under 35 U.S.C. 103(a) as being obvious over Mayeroff and Giobbi, in view of U.S. Patent No. 4,856,787 to Itkis. Applicant respectfully submits that the patentability of amended independent Claim 1 renders this rejection moot.

The Office Action rejected Claims 4, 18, and 23 under 35 U.S.C. 103(a) as being obvious over Mayeroff and Giobbi, in view of U.S. Patent No. 5,851,148 to Brune. Applicant respectfully submits that the patentability of amended independent Claims 1, 16, and 21 renders this rejection moot.

The Office Action rejected Claims 7 and 8 under 35 U.S.C. 103(a) as being obvious over Mayeroff and Giobbi, in view of U.S. Patent No. 5,823,873 to Moody. Applicant respectfully submits that the patentability of amended independent Claim 1 renders this rejection moot.

The Office Action rejected Claim 9 under 35 U.S.C. 103(a) as being obvious over Mayeroff and Giobbi, in view of U.S. Patent No. 6,089,976 to Schneider. Applicant respectfully submits that the patentability of amended independent Claim 1 renders this rejection moot.

The Office Action rejected Claim 14 under 35 U.S.C. 103(a) as being obvious over Mayeroff and Giobbi, in view of U.S. Patent No. 6,106,393 to Sunaga. Applicant respectfully submits that the patentability of amended independent Claim 1 renders this rejection moot.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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